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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/388,025	08/31/1999	YUVAL LIROV	11086/3	3297

26646 7590 06/19/2003

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NEW YORK, NY 10004

EXAMINER

LANIER, BENJAMIN E

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/388,025	LIROV ET AL.	
	Examiner	Art Unit	
	Benjamin E Lanier	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16,29-43,45 and 46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16,29-43,45 and 46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Applicant's election of claims 1-16, 29-43, 45, and 46 in Paper No. 5 is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6-16, 29-43, 45, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torii, U.S. Patent No. 5,313,521, in view of Gaskins, U.S. Patent No. 5,606,315. Referring to claims 1-3, 6-16, 29-43, 45, 46, Torii discloses a file transfer system wherein files are stored in an encrypted (first key, second key) state on a file server (record database) and a first terminal requests access to the file from the file server. The terminal transmits the request along with an identification signal (signature vector), which can be encrypted. A key distribution center

(permission database, relational database, application server) receives and decrypts the request signal and the identification signal in order to verify the user, and to determine if the user has the correct access rights for the file. If the terminal is authorized the key distribution center sends the identification and request signal to the file server where the file server decrypts (fourth key) the encrypted file key (third key) and then transmits it back to the first terminal with an answer signal. The first terminal can now access the file (Col. 6, line 23 – Col. 8, line 29). Torii does not disclose that the file data can include sensitive and non-sensitive data and that the sensitive data is further encrypted so that it is not as accessible. Gaskins discloses a security method for protecting electronically stored data wherein non-sensitive data is accessible by external communications tools without the entering of a correct password wherein viewing the sensitive data requires the password. It would have been obvious to one of ordinary skill in the art for the encrypted data file of Torii to include non-sensitive data and further encrypted (password protected) sensitive data so that an extra safeguard is implemented for sensitive data that may be stored on the module as taught in Gaskins (Col. 1, lines 24-36).

5. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torii, U.S. Patent No. 5,313,521, in view of Gaskins, U.S. Patent No. 5,606,315 as applied to claims 1-3 above, and further in view of Flake, U.S. Patent No. 5,553,146. Referring to claims 4 and 5, Torii discloses a file transfer system wherein files are stored in an encrypted (first key, second key) state on a file server (record database) and a first terminal requests access to the file from the file server. The terminal transmits the request along with an identification signal (signature vector), which can be encrypted. A key distribution center (permission database, relational database, application server) receives and decrypts the request signal and the identification signal in order

Art Unit: 2132

to verify the user, and to determine if the user has the correct access rights for the file. If the terminal is authorized the key distribution center sends the identification and request signal to the file server where the file server decrypts (fourth key) the encrypted file key (third key) and then transmits it back to the first terminal with an answer signal. The first terminal can now access the file (Col. 6, line 23 – Col. 8, line 29). Gaskins discloses a security method for protecting electronically stored data wherein non-sensitive data is accessible by external communications tools without the entering of a correct password wherein viewing the sensitive data requires the password. Torii does not disclose an interface between public and private networks. Flake discloses a method of exchanging information wherein an interface is used between public and private networks (Col. 1, lines 25-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the interface of Flake in the file transfer system of Torii in order to offer users the specific basic functions in what are referred to as bearer service for the communication of the greatest variety of information types as taught in Flake (Col. 1, lines 56-59).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Atalla, U.S. Patent No. 4,588,991

Cane, U.S. Patent No. 5,940,507

Lockhart, U.S. Patent No. 6,230,272

Veil, U.S. Patent No. 6,092,202.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin E Lanier whose telephone number is 703-305-7684. The examiner can normally be reached on M-Th0 7:30am-5:00pm, F 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703)305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*BL*  
Benjamin E. Lanier  
June 9, 2003

*Gilberto Barron*  
GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100